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## **Recalling representatives**

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# Recalling Representatives

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## 1. The debate

In September 2018, after a summer-long campaign promoted by grassroots activists on the left of the UK Labour Party, the party's annual general conference discussed a series of measures that would give ordinary members greater say on the mechanisms of selection and recall of party representatives in Parliament. The proposals ranged from lowering the threshold of members needed to trigger votes of deselection for sitting MPs, to the suggestion of open contests for selecting candidates at each General Election. The measures were the subject of heated debate among members, union representatives, campaign groups, party officials and policy advisors, and in the end only a handful were approved.

Some party officials emphasised the potentially “destabilising” nature of the proposals, mindful of the risk of distracting elected MPs from the seemingly more important task of challenging the Tory government.<sup>1</sup> Others warned of “catastrophic consequences” for securing the commitment of floating voters if the more ambitious measures of mandatory reselection were to pass.<sup>2</sup> For those on the opposite side of the debate, the measures were intended to enable greater participation in politics by ordinary people, thus raising democratic accountability. As one Labour MP argued, “only by empowering grassroots members can Labour remain the party that does politics *with* the community rather than *to* it”.<sup>3</sup>

One way to read this debate, as much of the British press did at the time, is as an instance of petty fighting between rival groups in the party, revealing the divide between a more institutionally-oriented and allegedly responsible centre versus recently affiliated, more radical members committed to the purity of principles. Following the election of Jeremy Corbyn as party leader in summer 2015 and re-election in 2016, and the corresponding expansion of Labour's membership, intra-party tensions became apparent on several questions. Disputes about the appropriate organisational form of the party might be seen in this sense as just extensions of a wider schism – a proxy war for more substantive disputes about how to interpret the meaning of democratic socialism, and how to evaluate the pre-Corbyn ‘New Labour’ era.

But this would be reductive. The debate on mandatory reselection and the controversy that surrounded it raised questions of self-standing importance. Examining them takes us beyond matters of parliamentary tactics and strategy into the heart of debates about the nature of democracy, the relationship between representation and self-government, and the contribution of partisanship to it.

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<sup>1</sup> <https://www.bbc.co.uk/news/uk-politics-45621354>

<sup>2</sup> <https://www.theguardian.com/politics/2018/aug/27/roy-hattersley-urges-corbyn-to-intervene-in-labour-deselection-row>

<sup>3</sup> <https://labourlist.org/2018/07/chris-williamson-mandatory-reselection-is-coming-and-it-will-be-key-to-labours-success/>

They are worth looking at in more detail also because the UK Labour Party has by no means been the only contemporary party to engage with them. Those that have emerged in Europe around a critique of mediation, seeking technological ways to make office-holders more responsive to a wider movement and developing mechanisms of deselection to underpin them, are testament like Labour's experiences to the relevance of questions of representation, participation and recall.<sup>4</sup> Parties such as *Podemos*, *La France Insoumise* and *Movimento 5 Stelle*, sometimes referred to as a new breed of "digital party", have experimented with demanding new mechanisms by which to keep office-holders in line, expelling MPs and Senators in the process.<sup>5</sup> However mixed their success as democratic innovations so far, and however much they depart from their principles once in government (as may be the case with *Movimento 5 Stelle*), such experiments carry wider resonance and are apt to be copied elsewhere.

The paper starts by reconstructing what is at stake in the contrast between representative and direct democracy in relation to the problem of self-government. It then explores the case of recalling representatives as an instance of democratic partisanship that may usefully bridge the divide between representative and direct mechanisms of popular participation. It goes on to discuss some problems related to the recall of representatives in liberal democracy, before suggesting possible answers and responding to possible criticisms. The basic point we make is that issues around the ethics of recalling representatives provide an important basis for exploring how a particular conception of partisanship (which we have elsewhere called the democratic conception)<sup>6</sup> can help mediate some of the tensions between representative institutions and direct democracy.

Before proceeding with the main argument, one clarification is in order. The practices of representative recall, like those of initiative and referendum, are often analysed under the rubric of direct-democratic measures designed to empower ordinary citizens by enabling them to influence government. Through these measures, the wider public can exercise control over particular decisions (for example by making new proposals for legislation or by voting in plebiscites) or over particular individuals (by filing petitions to remove particular officials from their position in public office). Our focus in this paper is related but narrower. Since there is by now a small but relevant literature on the issues of initiative, referendum and recall in their connection to direct democracy more generally,<sup>7</sup> our topic is the more limited but as yet underexplored one of recall mechanisms *within* parties.<sup>8</sup> Analysing the role of recall mechanisms as they relate to the distinctive ethics of partisanship goes to the heart of the relationship between representative institutions and democratic participation. It raises questions that are different in focus from those that arise in the ethics of direct democracy more generally. Although, as we shall shortly see, some of the tensions we explore also apply to other mechanisms of direct democracy, focusing on the particular practice of recall from within partisanship

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<sup>4</sup> Urbinati, Nadia "Revolt against Intermediary Bodies", *Constellations* vol. 22 (4) (2015), pp. 1-10.

<sup>5</sup> Gerbaudo, Paolo, *The Digital Party: Political Organisation and Online Democracy* (London: Pluto, 2019), p.10, p.88.

<sup>6</sup> See White, Jonathan, and Lea Ypi, *The Meaning of Partisanship* (Oxford: Oxford University Press, 2016), pp.2-7.

<sup>7</sup> See the discussion in Cronin, Thomas E., *Direct Democracy: The Politics of Initiative, Referendum, and Recall* (Cambridge MA: Harvard University Press, 1989). See also Altman, David, *Direct Democracy Worldwide* (Cambridge: Cambridge University Press, 2011).

<sup>8</sup> For one exception, emphasising also the wider use of these mechanisms at local level, see Bowler, Shaun, "Recall and Representation Arnold Schwarzenegger Meets Edmund Burke," *Representation* 40, no. 3 (2004), 200-12.

goes to the heart of the relation between representative institutions and its realisation of the ideal of self-government.<sup>9</sup>

## 2. Representation and self-government

The value of self-government in political relations was succinctly summarised by Rousseau in one of the canonical formulations of the challenge of the social contract: how to find “a form of association that will defend and protect the person and goods of each associate with the full common force, and by means of which each, uniting with all, nevertheless obey only himself and remain as free as before”.<sup>10</sup> In everyday political talk, democracy and self-government are often equated. Democracy is understood as a form of rule by the people which satisfies the promise of self-government by giving people an equal say on decisions that matter to them.<sup>11</sup> Of course how exactly to understand what an equal say requires is complicated. But regardless of those complications, it pays to emphasise that the relationship between democracy and self-government in the Rousseauian formulation is much more demanding than we often assume, and possibly also different from its realisation in most contemporary liberal institutions. Let us explain.

Democracy in virtually all liberal societies is not so much self-rule as rule by representatives. One of the most essential features of a representative system is the division of labour between representatives and represented. The central institution in such a system is the election of representatives at regular intervals. On this depends both the composition of government and the degree of correspondence between the wishes of the electorate and the decisions of representatives. Although governmental decisions are part of public debate and representatives may reflect the will of the majority of their constituents, they also retain a significant degree of independence.<sup>12</sup>

But if the division of labour between representatives and represented is part and parcel of democracy as currently understood, to what extent do those who unite with others to submit to the power of laws remain “as free as before”? If representatives are allowed to make decisions on behalf of the represented while also retaining their own independence, it is clear that the degree to which political institutions allow individuals to remain free, thus realising the value of self-government, depends on the degree to which the will of the represented is *actually* reflected in the will of representatives.

The founding fathers of representative institutions would have been surprised to hear the phrase *representative democracy* as we currently employ it. When representative institutions were first theorised, in the context of the American and French Revolutions, its champions did not think of democracy and representative government as complements as much as opposites. For people like Siéyès and Madison, the very point of representative government was to limit the direct influence of ordinary people on politics for fear that the ignorance of the masses would sway important decisions

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<sup>9</sup> Here we use the terms self-government, self-mastery and non-domination as synonymous. What is at stake in the democratic tradition is not being subject to the will of another and the extent to which collective political institutions enable this.

<sup>10</sup> Rousseau, Jean Jacques, "Of the Social Contract." in *The Social Contract and Other Later Political Writings*, edited by Victor Gourevitch (Cambridge: Cambridge University Press, [1762] 1997), pp. 39-161, at p. 50.

<sup>11</sup> See for a summary of most contemporary definitions see Christiano, Tom, "Democracy", *The Stanford Encyclopedia of Philosophy* (Fall 2018 Edition), Edward N. Zalta (ed.), URL = <<https://plato.stanford.edu/archives/fall2018/entries/democracy/>>.

<sup>12</sup> Manin, Bernard, *The Principles of Representative Government* (Cambridge: Cambridge University Press, 1997), p. 6.

in a direction that might threaten the common good. Madison straightforwardly emphasised this when he argued that one of the reasons for preferring rule through representatives over rule by the people was to “to refine and enlarge the public views by passing them through the medium of a chosen body of citizens, whose wisdom may best discern the true interest of their country”.<sup>13</sup>

While less concerned with the skills of representatives, Siéyès also believed that a representative system was the method of government most appropriate to the needs of commercial society. The mass of people should be left free to attend to their private business while leaving it to professional politicians to coordinate their common affairs. Indeed, for other advocates of representation, like Constant, this was one of the main differences between the freedom of the ancients, where all members of the political community were required to have a say and the individual was subjected to the collective authority of the political community, and the freedom of the moderns, where delegating decisions to representatives liberated individuals from collective responsibilities while enabling them to realise their private goals.<sup>14</sup>

Needless to say, for direct democrats inspired by Rousseau, these were the very reasons to be suspicious of the idea that representative institutions could at all realise people’s freedom. The divide between ordinary people and politicians (or what Weber would later call the divide between occasional and professional politicians<sup>15</sup>) implied that the skills required to govern would become increasingly specialised and that ordinary people, including those with less education, less ability to navigate a complex system of decision-making and fewer rhetorical tools, would remain alienated from both their representatives and from representative institutions.

Moreover, the very rhythms of representative politics implied that the will of the people could easily be ignored at all but election time. As Rousseau put it when discussing the nature of representation in England, “the English people thinks it is free: it is greatly mistaken, it is free only during the election of Members of Parliament; as soon as they are elected it is enslaved, it is nothing”.<sup>16</sup> Under these circumstances, representative democracy could do anything but realise the value of self-government. Far from remaining as free as before, those who delegated their right to rule to select representatives, ran the risk of suffering the consequences of decisions made by a few elites that they could not control. In an effort to ensure that continuous links between representatives and the represented were maintained, radical democrats came up with a number of proposals, pioneered by the Jacobins in the French National Assembly of 1789, integrated in the radical democratic movements of 1848 and picked up by socialist campaigners in the late 19<sup>th</sup> and 20<sup>th</sup> centuries. They included measures such as the imperative mandate, rotation in office, the abolition of a permanent bureaucratic class, the de-professionalisation of the executive, and many others. They were all designed to remove the boundaries between representatives and the represented either by abolishing the distinction or by ensuring that the decisions of the former remained accountable to the latter at all points. As one radical member of the French National Assembly put it during the debates around the imperative

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<sup>13</sup> Madison, "Federalist 10," in Madison, James, Alexander Hamilton, John Jay, and Isaac Kramnick, *The Federalist Papers* (Harmondsworth: Penguin, [1788] 1987), pp. 82. In discussing this passage Manin rightly notes that “a chosen body of citizens” here indicates both the fact that representatives were chosen (as in elected by the people) but also the fact that they were distinguished and eminent individuals, see Manin, *Principles of Representative Government*, p. 2.

<sup>14</sup>Constant, Benjamin, "The Liberty of the Ancients Compared with That of the Moderns." in *Political Writings*, edited by Biancamaria Fontana, (Cambridge: Cambridge University Press, 1988 (1819), pp. 308-28.

<sup>15</sup> See Weber Max, “The Profession and Vocation of Politics” [1919] in *Political Writings* (Cambridge: Cambridge University Press, 1994), p. 316.

<sup>16</sup> Rousseau, "Of the Social Contract", p. 114.

mandate, “because it is true that a free nation should neither chain future generations nor turn itself into a slave; the first duty of a free people is to delegate its freedom to nobody [from which it follows that] this right [sovereignty] as well as all other rights are imprescriptible and inalienable”.<sup>17</sup>

While the debate between democracy and representation was in its philosophical core a debate about how to understand the idea of freedom in modern political and socio-economic conditions, it is important to observe that it took place in circumstances where the group of people entitled to have say in the choice of representatives was extremely restricted. For a very long time only wealthy males were qualified to take part in elections. But even with the expansion of the franchise, the debate on the compatibility between democracy and representation continues in another form. For some authors, the expansion of the franchise together with the emergence and consolidation of mass parties open up new channels for articulating popular sovereignty in a way that links institutionalised politics to the demands of individuals active in civil society.<sup>18</sup> For others, however, the extent to which liberal politics remains dominated by elections and the mechanisms of representative-selection implies that the avenues for an authentic realisation of the general will are extremely limited.<sup>19</sup> As Schumpeter starkly put it in a classical definition that has attracted much criticism, far from being a system where selected individuals put the people’s will into action, representative democracy is merely “that institutional arrangement for arriving at political decisions, in which individuals acquire the power to decide by means of a competitive struggle for the people’s vote”.<sup>20</sup>

This dualism however may be too stark. Whether and to what extent partisanship and political mobilisation beyond electoral moments can truly represent the people’s will depends on the constraints of particular socio-economic, legal and political systems and the mechanisms for the continuous involvement of ordinary people that these make available.

### 3. Partisanship and recall

Elsewhere we have argued that a conception of partisanship, understood as an associative political practice intended to promote and support political commitment, is essential to reviving the ideal of self-government at the heart of the radical democratic tradition.<sup>21</sup> What distinguishes this democratic conception of partisanship from its liberal counterparts is the extent to which it rests on a normatively significant distinction between factions and parties, whereby the former are seen as promoting self-interested principles and aims whereas the latter seek to realise principles and policies that everyone could in principle share and could be generally and reciprocally justified. This implies an analysis of partisan activity irreducible to what political parties are most commonly associated with, i.e. the development of public policy proposals and the selection of candidates for election. It requires looking beyond the party as a formal organisation and considering the benefits and obligations entailed by a type of political association that promotes and sustains political commitment over the long term.

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<sup>17</sup> Cited in Lucia Rubinelli, *Constituent Power and the modern state. A history of the theory and practice of popular power* (PhD thesis defended at Cambridge University, 2016), p. 50.

<sup>18</sup> See on this issue especially Urbinati, Nadia, *Representative Democracy: Principles and Genealogy* (Chicago: University of Chicago Press, 2006).

<sup>19</sup> Manin, *The Principles of Representative Government*.

<sup>20</sup> Schumpeter, Joseph, *Capitalism, Socialism and Democracy* (London: Routledge [1943] 1994), p. 76. Some of Schumpeter’s insights were anticipated by Condorcet whose constitutional project implicitly criticised Siéyès and advocated recall mechanisms while also emphasising the risks of a new despotism of representatives.

<sup>21</sup> White and Ypi, *The Meaning of Partisanship*.

But the relationship between partisanship (understood as a mode of political activity that involves ordinary people committed to certain generalisable principles and aims) and parties (as the institutional reflection of their will) requires further examination. One difficult question concerns the extent to which institutional constraints enable or reinforce that relation. Whether democratic partisanship actually realises the value of self-government depends very much on the modalities of political participation and the ongoing involvement that parties (and the political systems by which they are constrained) grant to activists.

While the value of self-government is typically celebrated in every liberal democracy, the relationship between representatives and the represented tends to be one of independence rather than ongoing scrutiny. The two most obvious, and historically debated, ways of preserving the sovereignty of the people while delegating decision-making power to representatives are the imperative mandate and the discretionary revocability of representatives (recall mechanisms). Yet neither of these mechanisms is deeply entrenched in the institutions of contemporary liberal democracy. Despite the consistent effort of radical political movements to incorporate such measures in their projects of institutional reform, their mobilisation has largely been unsuccessful. The result is that contemporary systems inherit much the same hostility to recall mechanisms as their 19<sup>th</sup>-century counterparts.<sup>22</sup>

For the champions of radical democracy, the emphasis on recall mechanisms was part of a more general struggle to realise the democratic ideal of self-government which the liberal analysis of representation seemed to have left to one side. In commenting on the Paris Commune's measures to establish a system of permanent recall for members of the Council, Marx echoed Rousseau's criticism of representation. "Instead of deciding once in three or six years which member of the ruling class was to misrepresent the people in Parliament, universal suffrage was to serve the people, constituted in Communes, as individual suffrage serves every other employer in the search for the workmen and managers in his business". As Marx puts it, "it is well known that companies, like individuals, in matters of real business generally know how to put the right man in the right place, and, if they for once make a mistake, to redress it promptly. On the other hand, nothing could be more foreign to the spirit of the Commune than to supersede universal suffrage by hierarchic investiture".<sup>23</sup>

Marx's allusion to hierarchic investiture emphasises the pre-modern nature of a conception of political representation that seeks to exclude the masses from important moments of public decision-making. Ultimately, it is a critique of the elitist divide in liberal politics that the current system of political representation entrenches without being able to solve. Political scientists often refer to the different ways of thinking about the relationship between representatives and represented in terms of a "trustee" versus "delegate" model. The former seeks to preserve the independence of representatives from the people, the latter suggests that the role of elected representatives just *is* that of articulating the voice of people in relevant institutional sites to which they would otherwise have no access.<sup>24</sup> Recall mechanisms are an important part of the process through which elected representatives remain accountable to partisans. They provide institutional guarantees that articulate the political commitments in executive channels of political will formation.

Parties play an essential mediating function between the plurality of interests and principles characterising civil society and the unity of purpose required when institutions make laws that are

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<sup>22</sup> See Manin, *The Principles of Representative Government*, p. 163.

<sup>23</sup> See Marx, Karl, "The Civil War in France." [1871] in *Selected Writings* (Oxford: Oxford University Press, 2000), p. 588.

<sup>24</sup> For the distinction between the two see, Pitkin, Hanna Fenichel, *The Concept of Representation* (Berkeley: University of California Press, 1972), esp. chs. 6 and 7.

coercively binding for all. Parties give definition and political focus to normative principles, connecting them on the one hand to the intuitions of ordinary people, and on the other to the exercise of legislative and executive power. They aim to develop explicitly *political* identities, irreducible to the concerns of a sectional grouping, and towards which citizens may orientate themselves reflexively based on an evaluation of the associated objectives.<sup>25</sup> Rather than just aggregations of societal interests, they are agents fundamental to the exercise of popular sovereignty.<sup>26</sup>

But how effectively parties and partisanship contribute to the active exercise of popular sovereignty depends in crucial part on the availability of scrutiny mechanisms that link the views of partisans to those expressed by their elected officials. Recall mechanisms empower partisans beyond the limited timing and mobilisation typically concentrated in elections, ensuring that their voice is continuously heard. While a vibrant public sphere also gives partisans a vehicle through which the activities of public officials can be assessed and criticised, recall mechanisms are more effective in linking the process of selection to the purposes and ends that activists hope that their elected representatives will promote. They are essential in renewing what a collective association stands for and to reaffirm the political project on whose behalf partisans remain continuously engaged in politics.

Recall mechanisms are especially important in moments of crisis in liberal representation, when citizen apathy and a perceived divide between masses and elites are often cited as reasons for a decline in mass parties and the traditional channels of popular will-formation.<sup>27</sup> In some ways, our current predicament is similar to that of Siéyès and Burke: oligarchic and technocratic decision-making is on the rise while the vast majority of the public remain alienated from parliamentary politics. But while at the origin of liberal representation there may have been affinities between the class interests of representatives and those of the voting subset, due to the selective criteria for voting, the spectrum of diversity between representatives and represented based on class background, cultural identification, social orientation and so on, is now much wider. In this context, the gap between representatives and the represented must be urgently closed. Otherwise there is a real risk that the mass of effectively disenfranchised citizens permanently drifts away from traditional channels of representation to the more demagogic and populist forms of activism whose recent rise has also been widely documented.<sup>28</sup>

A distinction can be made between those forms of partisan recall that map onto the rhythms of electoral politics and those that can be activated by partisans at any point in time. *Mandatory reselection* is of the first kind. The practice entails that, should an incumbent parliamentarian hope to be re-elected at the next election, they must first submit to a competitive nomination process within their party. Should the party's selectors vote in favour of another candidate, the incumbent representative is effectively recalled. The practice synchronises with the electoral cycle, and can be seen as part of the more general effort to renew the electoral campaign. Here it is only in the run-up to elections that sitting representatives are challenged to make a new case for their re-election.

*Deselection* is activated on an ad hoc basis, outside the time-structures of electoral institutions. Representatives are continuously scrutinised and can be recalled at any point, for example by initiating a petition process and deselection campaign. The party membership to whom these representatives

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<sup>25</sup> Cf. Urbinati, *Representative Democracy: Principles and Genealogies*, pp. 36ff.

<sup>26</sup> See on this Wolkenstein, Fabio, "Agents of Popular Sovereignty" *Political Theory*, online early <https://doi.org/10.1177/0090591718786232> (2018); White & Ypi, *The Meaning of Partisanship*, ch. 1; White, Jonathan and Ypi, Lea (2010) [Rethinking the modern prince: partisanship and the democratic ethos](#). *Political Studies*, 58 (4). pp. 809-828.

<sup>27</sup> See the excellent analysis in Mair, Peter, *Ruling the Void: The Hollowing of Western Democracy* (London: Verso, 2013).

<sup>28</sup> See the discussion in White, Jonathan, *Politics of Last Resort*, chapter 6.



are accountable can seek to recall them whenever their conduct is felt to be at odds with the aims or standards associated with the party. Recall happens not on a periodic basis, in other words, but whenever a certain threshold is crossed, e.g. when a certain number of signatures has been collected.

Both are potential ways of strengthening participatory democracy through the channel of political parties. Mandatory reselection can be seen as part of the process of preparing for elections and is generally considered less controversial. It conforms to the general principle that representation is time-bound and needs periodic renewal. Clearly, there may be moments when this form of *party*-based representation may be said to clash with the political representation of citizens more generally. Some constituents content with an incumbent MP and keen to support their re-election may feel disenfranchised should that MP's party decline to nominate the individual again. Such objections are arguably not forceful though. To the extent that a candidate for election wishes to be associated with a political party and the programmatic agenda it embodies, it is logical that the party should be able to assess their actions in this light and recall them where appropriate. Likewise, should they avail themselves of the resources of the party, accepting the campaigning assistance of party activists to help them get elected, it is logical that the party be in a position to evaluate their record and decide whether to renew its support. Moreover, those who are not reselected by their party may often be able to stand as independent candidates for election instead. The possibility of citizen representation unmediated by a political party is thus retained.

But while mandatory reselection is fairly accommodating of general criticisms to the recall mechanism, deselection is important precisely because of the radical degree to which it potentially empowers ordinary citizens with relation to their elected representatives. It is here that the advantages of recall mechanisms based on parties are likely to reveal themselves most sharply. Whereas candidate (re)selection campaigns at election time can be (and sometimes are) conducted outside parties, albeit with all the attendant risks of personalised contests, recall mechanisms outside the electoral cycle face significant collective-action problems. Their initiation by individual citizens is challenging, given the thresholds of support needed. (Granting opposition parties a significant role in initiating such processes meanwhile creates a capacity liable to be abused.) Therefore, while mandatory selection should certainly be applauded, it is also worth exploring de-selection in more detail to see whether some of the standard objections to it are sustainable and to judge whether the model is ultimately defensible.

Some of the contemporary parties to embrace such methods – notably “digital” or “platform” parties on the model of Movimento 5 Stelle – have not always done so with great success. With rather weakly defined ideological commitments, other than their enthusiasm for participatory methods, and reluctant to adopt the organisational structures that might underpin a more defined programmatic identity, they have arguably used recall mechanisms in an unpredictable and reckless fashion.<sup>29</sup> But however problematic such recent experiences, the mechanisms in question are in principle adoptable also by parties with a more clearly defined normative project and more willing to retain structures of hierarchy and representation. How defensible is deselection in such contexts?

#### **4. Objections to Deselection**

One of the most common criticisms of the practice of deselecting representatives concerns the pressure that the threat of deselection puts on public officials, who may become dependent on public

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<sup>29</sup> Gerbaudo, *The Digital Party*, p.135.

opinion or attempt to second-guess the will of citizens to the point of failing to exhibit leadership on matters of principle. Call this the *perverse incentives objection*. While this objection is on the surface plausible, it is premised on a certain understanding of elected officials as people who have inherently more skills, leadership or principled commitment than the people they ought to represent.<sup>30</sup> In other words, it is premised on accepting an asymmetry between professional politicians with greater skills and knowledge and ordinary members of the public who may lack the same abilities or understanding of the constraints of political institutions. The implicit historical reference is here not the democratic forum of equals but the Roman division between the higher magistrates and the people: while the people could *elect* magistrates, they could not themselves *be* magistrates.<sup>31</sup> On this alternative model, the worry is that a constant fear of sanctions by partisans on the ground might create perverse incentives that force representatives to self-censor or fail to make decisions that would displease their supporters, even when the latter may be warranted.

There are several replies one can give to this objection. The first, more abstract one, is to question whether this degree of professionalisation of politics is itself intrinsically desirable. If there are certain substantive as well as formal conditions that ought to be met in order to enable all citizens to be self-governing, e.g. conditions to do with the distribution of skills and knowledge required to be involved in politics effectively, or with the degree of familiarity with how institutions work, surely the right response is to distribute these skills and assets more widely rather than to isolate those who have them from those who do not. Just as elections and the choice of government should not be considered in isolation from the more general partisan practices and political engagement that precedes them, the practice of recall should not be considered in isolation from an ongoing process of deliberation between representatives and represented, geared to the political education of each.<sup>32</sup>

This is in fact precisely where politics differs from other realms of life in which a division of labour or an asymmetric distribution of decision-making capacity may be warranted. It is why politics is precisely *not* a profession like any other. Politicians are not like doctors, in whom we believe “whether they cure us with our consent or without it, by cutting or burning or applying some other painful treatment”.<sup>33</sup> When one has a heart problem, a cardiologist may be needed to examine the heart and fix the problem; one can trust no other claim to expertise, and certainly not one’s own. But elected representatives have no particular fields of expertise. They are ordinary citizens with a history of mobilisation, campaigning or policy-making, and with particular profiles singled out as suitable to represent their fellow-partisans. Even if they have a privileged epistemic viewpoint with regard to some aspect of decision-making (they may come from a particular career path with relevant exposure to certain areas of institutional politics, or they may belong to particular minorities that give them a valuable epistemic vantage point when it comes to particular issues) these will typically be insufficient to cover all the aspects of decision-making and spheres of law with regard to which they will be called to make decisions.

Therefore, while the doctor’s claim to be able to fix one’s heart better than oneself can in general be taken at face value, there are reasons to doubt professional politicians’ claim to expertise on *all* particular applications of political decision-making. And even when someone does have an unusual

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<sup>30</sup> See Bowler, “Recall and Representation: Arnold Schwarzenegger Meets Edmund Burke,” for this objection.

<sup>31</sup> See for a discussion of this point, Manin, *Principles of Representative Government*, pp. 46-7.

<sup>32</sup> On the role of political education for ends that are neither depoliticised nor reducible to the immediacy of partisan conflict, see Einaudi, Luigi, “Conoscere per deliberare” (1954) in Einaudi, Luigi, *Prediche inutili* (Torino: Einaudi, 1964) and Bobbio, Norberto, “Intellettuale e classe politica” (1995) in Bobbio, Norberto, *Il dubbio e la scelta. Intellettuale e potere nella società contemporanea* (Rome: Carocci, 1993).

<sup>33</sup> Plato, *Statesman*, trans. Rowe, Christopher (Indianapolis: Hackett Publishing, 1999), 293b.

knowledge and ability to navigate and respond to a broad and complex array of political questions, this may be only as a result of the experience accumulated through years of public office. In the latter case, from a democratic perspective, surely the right attitude is to see this as an unfortunate implication of insufficient rotation in office rather than as something intrinsically desirable that should be replicated.

The second important point to make in response to the incentives objection is that the extent to which professional politicians make independent decisions and exercise leadership given the institutional constraints is vastly exaggerated. It is true that in the absence of recall mechanisms, professional politicians representing particular parties can safely ignore the views of their constituents, barring election time. But it is usually very difficult for them to ignore the views of bureaucrats, policy-makers, lobbyists, business people, the media, civil society associations, and polling agencies. Such influence and pressure usually goes much beyond the timing of elections. Given these constraints, the idea that elected representatives would exercise their judgment and leadership if it were not for the influence of constituents is largely a myth. In liberal market societies, political influence is usually proportionate to the power of money. For radical democrats, the question is how to make sure that influence is at least balanced so that the decisions of politicians (including the compromises they are asked to make in this environment) approximates as much as possible the views and judgment of the ordinary people who elect them. Given incentives are never pure, recall mechanisms should be seen as a balancing rather than disruptive force.

A second objection to recall mechanisms is concerned not so much with the system of incentives within which elected representatives operate as with the efficiency of recall campaigns. Call this the *efficiency objection*. The critique here is that recall mechanisms run the risk of distracting sitting MPs from their daily task of representing constituents by forcing them to confront fellow partisans when the latter see their work as insufficiently linked to their political commitments. This concern is probably also over-stated. Firstly, there are many kinds of obligation that might distract representatives from their daily activities, including their obligations to family, friends or institutions other than their own parties. The point of taking up representative responsibilities (and the desirability of limiting such responsibilities in time) is that one is prepared to navigate these increased burdens. Where the occupation of office is limited in time, elected representatives know that such increased burdens are only provisional.

The second, more important part of the answer to the efficiency objection, is that not all recall campaigns risk reducing the efficiency of representation: they might also increase it. Much depends on how recall measures are organised, where they fit in the schedule of representatives and what constraints are in place with regard to how they are conducted, with what frequency, and especially what tone should govern the debate around them. Where recall debates have proven weary and destructive, the fault has been not so much with recall campaigns as such as with the highly personalised or negative tone of the campaign, with the absence of sustained principled debate on particular issues, with the lack of working channels of communication between representatives and citizens, and so on. In general, negative recall campaigns have been associated with mutual distrust and a destructive tendency in the exchange between representatives and represented, where charges of corruption are coupled with personal insults resulting in the further alienation of one group from the other. The problem here, however, relates not to recall mechanisms as such as to the lack of discipline and of a culture of respect amongst activists. There is no reason why more constraints on the process, as well as a different arrangement of the procedures and timing of recall campaigns, could not result in a more constructive contribution.

A final objection concerns the relationship between the role of fellow-partisans and constituents in recall mechanisms. So far, our discussion has mainly been limited to the importance of deselection and mandatory reselection procedures as they apply within a political party. But as noted in regard to mandatory reselection, one might say that elected representatives have obligations both to fellow-party members, whose views they represent and who campaign on their behalf, and also to constituents at large, to the nation or “the people” whose sovereignty they articulate. One might call this the *constituency objection*.

The question of how to navigate that tension is a difficult one. However, it is important to point out that the problem of how to represent both fellow-partisans and their commitments to certain principles and aims and how to represent constituents who may not agree with the principles of the winning party is not specific to the debate around recall. It is a tension intrinsic to how liberal institutions realise the idea of representation. Nothing about this tension raises further difficulties for recall mechanisms over and above the more general problem that “no man can serve two masters”, that parties cannot be both representative of members and of constituents without some tension, as some political scientists have put it.<sup>34</sup> The more specific answer when it comes to the issue of recall mechanisms has to be seen in light of that more general problem.

The key point, once again, is that in liberal democratic societies the election of representatives is intrinsically connected to the party system, and it is on the basis of particularly party manifestos and programmes that elected representative are voted into office. Given this basic model, it is crucial to ensure that incumbents are responsive to members with regard to how they act on the basis of the party programme, and that the latter retain a say when compromises are required or difficult choices need to be made. Recall mechanisms that enable members to deselect sitting MPs who fail to properly connect the party on the ground with the party in office are a crucial step to ensure that the principles and aims consolidated in the party programme combine democratic support with executive efficiency.

Such a model does not discourage or undermine the participation of ordinary citizens: it encourages that participation in the form of partisan engagement, requiring that their commitments be mediated by their affiliation with partisan associations. When citizens profoundly disagree with the values and principles of the public officials that represent them, it is because they profoundly disagree with the values and principles of the party that wins the election. The way to challenge that outcome and source that disagreement is through partisan affiliation. Recall mechanisms do nothing to aggravate that tension; they simply ensure that a greater number of people can take responsibility for the outcomes that follow. The issue of how to devise recall procedures that enable partisan activists to exercise control on representatives, while also preventing a small minority from hijacking democratic norms and justified majoritarian principles of decision-making, remains a crucial challenge but need not be a debilitating one.

## **5. Conclusion**

Democracy is in crisis, it is often said. Those who lament this state of affairs link it to the crisis of representation, the fact that few people trust political elites, and that even fewer are inclined to turn up and vote, or that when they do they end up voting for politicians who undermine rather than

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<sup>34</sup> See for one discussion Katz, Richard, “No man can serve two masters: Party politicians, party members, citizens and principal-agent models of democracy”, *Party Politics* 20/2 (2014), 183-193.

support democratic values. If all that is true, it is imperative to seek to restore trust in the ability of institutional politics to respond to the concerns of ordinary people, to fill the gap between citizens and political elites.

Strengthening recall mechanisms is an important step in that direction. Consolidating mechanisms of direct democracy is crucial to ensuring ordinary citizens can take political responsibility, seeing themselves as agents and not only recipients of political decision-making. That such mechanisms should be part of the organisational structure of *political parties*, and not just of citizen-representative relations more generally, seems important in two respects. First, if long-standing oligarchic tendencies within parties are one aspect of the democratic weakness and alienation in question, it makes sense to see the empowerment of partisans vis-à-vis their leaders as one necessary component in any wider effort to revitalise democracy. Strengthening partisan recall mechanisms is one way to counter the failings of existing parties. Second, and more positively, it is when channelled through the party form that recall mechanisms have particular potential to augment representative democracy. Such mechanisms need those who can initiate them and connect them to shared normative commitments. Embedding them in an associational context defined by shared ideas counters the risk that they are used in highly personalised ways to punish the character failings of individuals, or that – on account of the same risk – their application is restricted to the most egregious cases of corruption, and thus rendered of little relevance to day-to-day politics. It is as a wider and principled check on political power, channelled through clearly-defined parties, that mechanisms for recalling representatives have greatest potential.

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